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ABSTRACT

The report summarizes six meetings held during 1995 by the Idaho Legislative Committee on Governance of Higher Education. At the first meeting, the state governor outlined the context for the Committee's work and discussed the report of a task force on higher education planning concerning the appointment of a Board of Regents. The second meeting included presentations from former State Board of Education members and testimony about governance from four state college and university presidents, a student organization president, and college and university employees. At the third meeting, testimony was heard from the executive director and attorney of the State Board of Education, and from a state university representative concerning the feasibility of a state survey about higher education. Representatives of state agencies spoke at the fourth meeting about potential changes in administrative organization of the State Board of Education, and draft legislation based on earlier meetings was discussed. At the fifth meeting, a report on the roles and missions of Idaho public higher education institutions was discussed, and representatives of private industry responded to questions concerning the relationship between business and higher education. A rewrite of some legislation and some proposed legislation was also discussed. The sixth meeting addressed the funding of community colleges. Recommendations of the Committee are summarized. (MSE)

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Committee on Governance of Higher Education
FINAL REPORT

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Legislative Council
Committee on Governance of Higher Education
FINAL REPORT

The Legislative Council Committee on Governance of Higher Education was created by the adoption of House Concurrent Resolution No. 17 by the First Regular Session of the Fifty-third Idaho Legislature. HCR 17 provided that the Legislative Council is authorized to appoint a Committee and provide a budget of $100,000 to hire a consultant to study the present college and university system in the state and whether the students and citizens in the state are best served by that system, or whether efficiency and the quality of education would improve by placing all colleges and universities supported with state funds in a single organizational system similar to that used in other western states.

The Committee held six meetings on May 24, June 21, August 4, September 6, October 25, and December 8, 1995. At the Committee's first meeting, Governor Philip E. Batt stated that there is nothing more important than making sure our governance of higher education is efficient and that it is designed primarily to deliver the best possible educational options to the student at the least possible cost to the taxpayer and that we must change with the times and be sure that we have our higher educational system designed for maximum efficiency in those two respects. He urged the committee to consider that the student comes first along with the taxpayer, and that both get the best possible results for the money they spend. He said that our state is changing very rapidly and we have to adapt our educational system to these changes.

Also at the first meeting, the Committee heard from Mr. Steve Ahrens and Mr. Ed Osborne about the Idaho Association of Commerce and Industry's 1983 higher education study entitled "Higher Education in Idaho: A Plan for the Future". That task force recommended that there be a separate board created for the university system to be called the Board of Regents. The Board of Regents would have been charged with the following responsibilities: retain the executive director of the Board, and presidents of the three universities, set broad policy directions through an ongoing statewide planning process, review and approve/set the role and mission statementsfor each institution of higher education, prepare and present a consolidated budget for post-secondary education, review and approve new programs and the need for continuing current programs, prepare and advance legislative recommendations as necessary, supervise campus management by oversight, be the state's principal voice on state-wide post-secondary concerns, coordinate the state's community college system, administer state student financial-aid programs and perform other duties assigned by statute. The recommendation would have required a change in the state constitution.

The Committee also heard from Dr. Aims McGuinness of the National Center for Higher Education Management Systems. He had been involved in the 1983 IACI study when he was the Education Commission of the States. Dr. McGuinness also indicated that he was currently involved with the roles and missions studies for the State Board of Education. Dr.

McGuinness made a presentation regarding higher education generally and was asked to submit a proposal for services regarding the Committee's authorization to expend money for a consultant.

At the Committee's second meeting on June 21, the Committee heard presentations from former State Board of Education members George Alvarez, Jerry Evans, Bob Montgomery, Dr. John Swartley, Karl Shurtliff and Keith Hinckley. The former State Board members were asked to comment on their tenure on the Board, some of their frustrations while serving and what, if anything, could be done to make the situation better in their opinions. The former Board members were asked to comment specifically about a chancellor system or a single university system and the opinions or responses were diverse. The members were also asked about the Boise-State University--University of Idaho engineering school.

Also, at this meeting, the Committee heard testimony from the presidents or their representatives from the University of Idaho, Boise State University, Idaho State University and Lewis-Clark State College and their perceptions about the governance system in place in Idaho, their frustrations and any recommendations they might make to improve it. The Committee also heard from the president of the Associated Students of the University of Idaho and from employees of Boise State, Lewis-Clark State, and the University of Idaho about tracking surveys they are doing with students and how are the colleges and universities meeting the student's needs.

At the third meeting on August 4, the Committee heard testimony from the Executive Director of the State Board of Education about the State Board of Education's meeting the day prior. He said the Board adopted a motion requesting the Legislature to pass legislation similar to a statute in place in the State of Washington that would empower the State Board of Education to delegate to the Office of the State Board of Education and to the presidents of the colleges, universities and other institutions certain duties and functions.

The Committee also heard from the attorney for the Office of the State Board of Education about constitutional and statutory responsibilities of the State Board of Education and the Superintendent of Public Instruction. The two witnesses indicated that the purpose of the recommended legislation is to free up the members of the State Board of Education from having to deal with the myriad of topics and issues that statutes apparently require them to. They indicated that a good deal of delegation had been accomplished during the past couple of years and this act would encourage more to help the system work more smoothly and efficiently. The Executive Director of the Office of the State Board of Education said the Committee could consider enacting legislation to delegate certain functions like purchasing and public works construction to the campuses from the Department of Administration.

Also at this meeting, the Committee heard from a representative of the Survey Research Center at Boise State University about conducting a survey of past and present students and employers in the state about how the state's higher educational system is functioning. The Committee also discussed utilizing the state's budgeting system as a way to bring about

change in the higher educational system and to reward innovation and to encourage efficiency. At this meeting, the Committee decided that retaining a consultant was not necessary given the depth and variety of information that was available to them through existing sources.

At the September 6, meeting the Committee heard from representatives of agencies or entities which are under the jurisdiction of the State Board of Education about whether it would be desirable or efficient for them to be under the State Board of placed elsewhere in State Government. These agencies are the Division of Vocational Rehabilitation, the School for the Deaf and Blind, the State Historical Society, the State Library and Idaho Public Television.

At this meeting the Committee discussed draft legislation as a result of testimony and input from earlier meetings. The first piece of proposed legislation would authorize the delegation of certain functions from the State Board of Education to the Office of the State Board of Education or to the presidents of the colleges or universities. The second recommendation would provide an appointment mechanism for members of the State Board of Education similar in scope to what is currently provided for judges through the Judicial Council. The third piece of draft legislation would create a special legislative executive task force on higher educational matters which would attempt to improve communication between the branches of government and the colleges and universities and try and prevent a "surprise" from occurring like the engineering school controversy in Boise.

The next piece of draft legislation would give state colleges and Universities the same status as the University of Idaho for public works projects. A lively discussion occurred on this draft as representatives from the Division of Public Works of the State Department of Administration and the state colleges and universities discussed this concept. The final piece of proposed legislation discussed that day would exempt colleges and universities from state purchasing laws. A representative of Boise State University and the Director of the Department of Administration spoke to this proposal.

At the October 25, meeting the Committee heard from Dr. Aims McGuinness who briefly summarized the key elements of the report: "A Study of the Roles and Missions of Idaho Public Institutions of Higher Education" which he prepared for the State Board of Education. Dr. McGuinness answered questions on several aspects of the report including the provision of engineering education and on the community college issue. Next, representatives from private industry responded to four questions submitted to them in advance: Is the state's present higher educational system producing a product currently and in the future that meets their company's needs? Is the state's higher educational system producing a product their employees or future employees can utilize? Is the state's higher education system flexible enough to change to future demands placed on it by industry and society? What governance of structural changes would they recommend? Representatives from the Hewlett Packard Corporation, the J.R. Simplot Company, Micron Technology, Morrison and Knudsen and U.S. West presented testimony.

At this meeting a rewrite of legislation regarding oversight of public works at colleges and universities was discussed. After some debate, the Committee voted to recommend that legislation be introduced that would raise the bid limit to $30,000 and the delegation threshold be increased to $150,000.

The Committee next discussed the proposed legislation delegating functions to the Office of the State Board of Education staff and the presidents of the colleges and universities. Some concern was expressed by members that the delegation contained in the draft might be too broad and the question was asked if the State Board of Education did not already have the authority. After some discussion, the Committee moved to recommend the piece of legislation after revision.

The Committee next discussed legislation to improve communication between the State Board of Education, the Legislature, the institutions and the executive branch. After some rewrite the Committee moved to recommend a piece of legislation to that there is some planning involved and that the State Board, the colleges and universities and legislators are on the same page regarding a master plan for governance.

The Committee again discussed revamping the state's purchasing laws either by statute or by rule of the Department of Administration. A representative of the Department of Administration indicated that rules would be promulgated that could remedy the colleges and universities concerns.

The Committee held one final meeting on December 8, 1995. The main purpose of this meeting was to discuss the funding situation for community colleges. This was partly a result of Dr. McGuinness' study and the portion devoted to the community college function in the state and events occurring in Jerome County where some citizens are requesting that legislation be drafted to allow a county to withdraw from a community college district after an election and language in the proposed One Percent Initiative that would remove community college funding from the property tax. The Committee heard a discussion on past studies of the Legislature regarding community college funding and governance and possible alternatives to funding the community college other than the property tax. While no specific draft legislation was presented, possible alternatives to providing some funding other than the ad valorem property tax included increasing the tax on beer or wine, or both, increasing the surcharge on liquor the State Liquor Dispensary sells and having money be distributed from the State Liquor Account.

The Committee did not reach any consensus or agreement regarding a solution to the community colleges' dilemma over the reliance on the ad valorem property tax. Committee members agreed there was a problem, but did not reach a consensus on how to solve the problem.

RECOMMENDATIONS

The Committee recommended three pieces of legislation for introduction into the Second Regular Session of the Fifty-third Idaho Legislature. Those dealt with the delegation of authority from the State Board of Education to the staff of the State Board or the presidents of the institutions, increasing bid limits and delegation thresholds to the colleges and universities regarding public works, and providing a formal forum to increase communication and awareness between the legislature, the executive, the State Board of Education members and the colleges and universities. Those pieces of legislation are attached to this report as Appendices A through C. The Committee could not reach a consensus on the purchasing issue as proposed rules of the Department of Administration to address the problem were withdrawn and some form of proposed legislation may be necessary. The Committee also did not reach a consensus on community college funding but felt that the education committees of both houses would be studying the issue closely.